IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No 1172 of 2003

For Approval and Signature:

HON'BLE MR.JUSTICE J.R.VORA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

KATHADBHAI JORUBHAI

Versus

OWNER OF RICKSHAW NO. GJ 11 V 1256

Appearance:

MR SHAKEEL A QURESHI for Petitioner No. 1

RULE SERVED for Respondent No. 1-2

CORAM : HON'BLE MR.JUSTICE J.R.VORA

Date of decision: 18/06/2004

ORAL JUDGEMENT

1. Heard learned Advocate Mr.K.A.Koja for learned Advocate Mr. S.A.Qureshi for the petitioner. Opponents are served.

2. This application is filed under Section 24 of the Code of Civil Procedure by the petitioner i.e. original applicant of Motor Accident Claim Petition No.255 of 2001 pending before the Motor Accident Claims Tribunal at Veraval for the transfer of the said Application from Motor Accident Claims Tribunal Veraval to Motor Accident Claims Tribunal, Amreli. The present petitioner is father and his son also filed Motor Accident Claim Petition No.256 of 2001 at Motor Accident Claims Tribunal at Veraval arising out of the same accident. However, the application of his son Sagir Mukesh Kathadbhai, being Misc. Civil Application No. 1731 of 2002, came to be allowed vide order of this Court dated 23.6.2003, and Motor Accident Claim Petition No. 256 of 2001 came to be transferred from Motor Accident Claims Tribunal at Veraval to Motor Accident Claims Tribunal, Amreli.

3. On the same ground, this Application is also required to be allowed and it is directed that Motor Accident Claim Petition No. 255 of 2001 pending before the Motor Accident Claims Tribunal, Veraval is hereby ordered to be transferred to Motor Accident Claims Tribunal, Amreli. Motor Accident Claims Tribunal at Veraval is further directed to transmit record and proceedings of said Motor Accident Claim Petition No.255 of 2001 immediately to Motor Accident Claims Tribunal at Amreli. On so receiving the papers, the Motor Accident Claims Tribunal, Amreli, shall register and dispose of the said Motor Accident Claim Petition according to law. Rule made absolute. DS permitted.

(J.R. Vora, J.)

p.n.nair